

ENTERED

February 18, 2025

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

PCGEZG LLC and	§ CIVIL ACTION NO
FNALS LLC,	§ 4:24-cv-01271
Plaintiffs,	§
	§
	§ JUDGE CHARLES ESKRIDGE
vs.	§
	§
	§
IDIN DALPOUR, <i>et al</i> ,	§
Defendants.	§

**ORDER ADOPTING
MEMORANDUM AND RECOMMENDATION**

Plaintiffs filed this suit on a promissory note on April 5, 2024. ECF 1. The case was referred for pretrial management to Magistrate Judge Christina A. Bryan. Dkt 2. The Clerk entered default as to all Defendants on September 25, 2024. Dkt 28.

Pending is a Memorandum and Recommendation by Judge Bryan dated January 8, 2025. Dkt 32. She recommends denying a motion by Plaintiffs for default judgment, instead recommending that this case be dismissed without prejudice to refiling in the forum agreed to in a forum selection clause.

The district court reviews *de novo* those conclusions of a magistrate judge to which a party has specifically objected. See FRCP 72(b)(3) & 28 USC § 636(b)(1)(C); see also *United States v Wilson*, 864 F2d 1219, 1221 (5th Cir 1989, *per curiam*). The district court may accept any other portions to which there's no objection if satisfied that no clear error appears on the face of the record. See *Guillory v PPG Industries Inc*, 434 F3d 303, 308 (5th Cir 2005), citing *Douglass v United Services Automobile Association*, 79 F3d

1415, 1430 (5th Cir 1996, *en banc*); see also FRCP 72(b) advisory committee note (1983).

None of the parties filed objections. No clear error otherwise appears upon review and consideration of the Memorandum and Recommendation, the record, and the applicable law.

The Memorandum and Recommendation of the Magistrate Judge is ADOPTED as the Memorandum and Order of this Court. Dkt 32.

The motion by Plaintiffs for default judgment is DENIED. Dkt 29.

This case is DISMISSED WITHOUT PREJUDICE. This is a FINAL JUDGMENT.

SO ORDERED.

Signed on February 18, 2025, at Houston, Texas.



Hon. Charles Eskridge
United States District Judge